THE HON'BLE SRI. JUSTICE GODA RAGHURAM

W.P.No. 8253 of 2006

24-04-2006

Between:-

Bodduluri Mangamma

Petitioner

And

The Assistant Commissioner of Endowments, Endowments Department, Guntur and another.

Respondents

THE HON'BLE SRI JUSTICE GODA RAGHURAM

W.P.No. 8253 of 2006

Oral order:

Heard the learned counsel for the petitioner Smt. G. Jhansi and the learned Government Pleader for Endowments, the writ petition is disposed of at the stage of admission.

The petitioner's father one Pamulapati Venkaiah is claimed to have constructed Sri Sitarama Swamy Temple, Gundlapalem, Medikonduru mandal, Guntur district, some time in the year 1944-45 and to have also donated land in an extent of Ac.16-00 towards its endowment. During his life time, Pamulapati Venkaiah is claimed to have managed the affairs of the temple. After his demise in 1977, by a proceeding dated 13-04-1977, in purported exercise of the powers under Section 20(1) of the Andhra Pradesh Charitable and Hindu Religious Institutions and Endowments Act, 17 of 1966, the 1st respondent as a delegate of the power assigned, recognized the petitioner and permitted her to assume office as Hereditary Trustee of

the subject temple. The institution of Hereditary Trustees was abolished under the provisions of the Andhra Pradesh Charitable and Hindu Religious Institutions and Endowments Act, 1987.

On 10-11-1998, the petitioner applied to the 1st respondent for recognition as a founder trustee of the subject temple. This application has not been disposed of for nearly eight (8) years now.

While so, by a notification dated 30-01-2006 (impugned herein), the 1st respondent issued a notice calling for applications for appointment of a new Trust Board to the subject temple. The notice mentioned that a recognized founder trustee may also submit an application.

As the petitioner's application for recognition as a member of the founder's family/as a founder trustee has not been disposed of since 10-11-1998, the conduct of the 1st respondent in notifying and calling for applications for appointment of Trust Board to the subject temple, appears wholly arbitrary.

In the circumstances, the writ petition is disposed of directing the 1st respondent to forbear from appointing trustees to Sri Sitarama Swamy Temple, Gundlapalem, Medikonduru Mandal, Guntur district, till the petitioner's representation dated 10-11-1998 is disposed of and the decision communicated to her and for a period of fifteen (15) days thereafter. The petitioner is at liberty to agitate her rights after the receipt of such communication by her; either to pursue her remedies against the rejection of her application, if such be the result, or to apply for being appointed as a Chairman of the Trust Board in case her application for recognition is favourably considered. The 1st respondent is also directed to dispose of the petitioner's representation dated 10-11-1998 expeditiously and in any event within a period of four (4) weeks from the date of receipt of a copy of this order without fail or demur.

The writ petition is disposed of as above at the stage of admission. No costs.

GODA RAGHURAM, J

Dated:24-04-2006

Pvks/*

Nb:- Furnish c.c. in two days.

B/o. pvks/*